

In the claims:

Please amend claims 1 and 36 as follows:

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1. (Amended) A molecular circuit delivered into a cell, comprising (a) a first nucleic acid molecule that comprises a gene encoding a transcription factor and a first promoter activatable by stress and by the transcription factor, wherein the first promoter and the transcription factor gene are operably linked, and (b) a second nucleic acid molecule that comprises a gene of interest and a second promoter activatable by the transcription factor, wherein the second promoter and the gene of interest are operably linked.

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36. (Amended) The molecular circuit of any of claims 1, 2, 9-11, and 21-23, wherein the activity of the transcription factor is regulated by a second stimulus other than stress.

REMARKS

Claim Amendments

In the final Office Action dated June 27, 2001, the Examiner maintained her rejection of claim 1 under 35 U.S.C. 102(b) as being anticipated by Moonen Chrit (WO 98/06864). The Examiner suggested that claim 1 could be saved by an amendment indicating that the nucleic acid of the molecular circuit must be inserted into a cell.

Applicant would like to thank the Examiner for granting him a telephone interview after Final Action on August 7, 2001, 10 a.m., to consider a possible alternative claim amendment to place claim 1 into condition for allowance and to discuss possible amendment language. Pursuant to this interview Applicant presently amended claim 1 by the insertion of the words "delivered into a cell". Support for this amendment is found in the specification on p.12, lines 10-11. See also p.13, lines 19-25, p.23, lines 17-20, p.25, lines 23-26, and p.26, lines 3-5.